

SAN LUIS OBISPO  
PLANNING DEPARTMENT HEARINGS  
**DRAFT** MINUTES OF THE MEETING OF

May 6, 2005

Minutes of the Regular Meeting of the County Planning Department Hearings held in the San Luis Obispo County Planning and Building Department Conference Room, County Government Center, San Luis Obispo, California, at 9:00 a.m.

The meeting is called to order at 9:06 a.m. by Warren Hoag.

The following action minutes are listed as they were acted upon by the Hearing Officer of the Planning Department Hearings and as listed on the agenda for the Regular Meeting of May 6, 2005, together with the maps and staff reports attached thereto and incorporated therein by reference.

**PUBLIC COMMENT PERIOD**

General comment – none. Consent Agenda comments – Henry Lane – SUB2004-00030 - comments on originally proposed road name of “Over Drive”. States he is against the new proposed name of “Cirrus Court” -- feels it will cause confusion. States he would like the county to assign a simpler road name. Hearing Officer states the name requested is Cirrus Court. Hearing Officer clarifies procedures on how road names are assigned. Hearing Officer asks Leonard Mansell, staff, if proposal was given to him in writing by the neighbors. Leonard Mansell states the majority of neighbors requested the road to be named Cirrus Court. Earl, Marsha, and Kyle May – DRC2004-00138 - Earl May gives testimony regarding a condition submitted to Mike Wulkan regarding a water well. Hearing Officer discusses size of proposed mobile home, site disturbance, and mitigating factors. States there is no issue in increasing the size of the new mobile home and water well from 1,400 square feet to 1,700 square feet. Hearing Officer asks that a written request regarding the changes be submitted to staff. Explains timing for local and California Coastal Commission appeals periods.

**CONSENT AGENDA:**

1. This being the time set for hearing to consider a proposal by **DIOPTICS MEDICAL PRODUCTS** to name an unnamed road. The road name proposed is Over Drive. The property is located in the county on the east side of Vachell Lane approximately 1,320 feet north of Buckley Road. The road is located within the Industrial land use category. APN: 076-361-018, in the San Luis Obispo Planning Area. **County File Number: SUB2004-00030**. Date application accepted: January 5, 2005. Supervisorial District No. 3.

**MINUTES**

Hearing Officer: Warren Hoag

Staff: Leonard Mansell

Others: Henry Lane, owner of Dioptics Medical Products

Thereafter, on motion of the hearing officer, the road name is approved to become final in 10 days if no appeal is filed, based on findings A through E in Exhibit A. (Document No. 2005-062).

**NON-HEARING ITEMS:**

2. This being the time set for hearing to consider a request by **ANTHONY WISNIEWSKI** for a Minor Use Permit/Coastal Development Permit to allow demolition of a 1,400 square foot single-family residence and construction of a new single-family residence with an attached garage resulting in 1,904 square feet of footprint and 3,046 square feet of gross structural area. The project will result in the disturbance of approximately 2,991 square feet of a 7,129 square foot parcel. The proposed project is within the Residential Single-Family land use category and is

located at 1249 Pacific Avenue in the community of Cayucos, in the Estero planning area. This project is exempt under CEQA. **County File No: DRC2004-00175.** APN: 064-222-016. Date Accepted: April 5, 2005. Supervisorial District: 2.

### **MINUTES**

Hearing Officer: Warren Hoag

Thereafter, on motion of the hearing officer, the Minor Use Permit/Coastal Development Permit is granted based on Findings A through I in Exhibit A and subject to Conditions 1 through 16 in Exhibit B. (Document No. 2005-063).

3. This being the time set for hearing to consider a request by **JERRY AND KAREN ENNIS** for a Minor Use Permit/Coastal Development Permit to allow the construction of an addition to a 1,777 square-foot single-family residence and attached garage resulting in 993 square feet of footprint, 2,095 square feet of gross structural area, and 295 square feet of TDCs. The project will result in the disturbance of approximately 1,700 square feet of a 3,500 square foot parcel. The proposed project is within the Residential Single-Family land use category and is located at 1661 Newhall Avenue in the community of Cambria, in the North Coast planning area. This project is exempt under CEQA. **County File No: DRC2004-00181.** APN: 023-172-008. Date Accepted: March 25, 2005. Supervisorial District: 2.

### **MINUTES**

Hearing Officer: Warren Hoag

Thereafter, on motion of the hearing officer, the Minor Use Permit/Coastal Development Permit is granted based on Findings A through R in Exhibit A and subject to Conditions 1 through 28 in Exhibit B. (Document No. 2005-064)

4. This being the time set for hearing to consider a request by **JACK AND KATHLEEN KIRBY** for a Minor Use/ Coastal Development Permit to allow grading for and construction of a new 832 square foot garage/workshop, with a 600 square foot studio above. The project will result in the disturbance of approximately 1,400 square feet of a 16,500 square foot parcel. The proposed project is within the Residential Single Family land use category and is located behind the residence at 2160 Avon Avenue, approximately 150 feet east of Ardath Drive, in the community of Cambria, in the North Coast planning area. This project is exempt under CEQA. This project is exempt under CEQA. **County File Number: DRC2004-00132.** APN: 023-071-023. Date Accepted: March 15, 2005. Supervisorial District: 2.

### **MINUTES**

Hearing Officer: Warren Hoag

Staff: Airlin M. Singewald

Thereafter, on motion of the hearing officer, the Minor Use Permit/Coastal Development Permit is granted based on Findings A through M in Exhibit A and subject to Conditions 1 through 19 in Exhibit B. (Document No. 2005-065).

5. This being the time set for hearing to consider a request by **MARY CARROLL AND VIRGINIA LOWE** for a Minor Use/ Coastal Development Permit to allow construction of a 75 square foot addition to an existing residence, a 180 square foot carport, and an interior remodel of the existing basement. The project includes a parking waiver request to reduce the required number of spaces from two onsite spaces (one covered, and one uncovered) to one onsite covered space. The project will result in the disturbance of approximately 500 square feet of a 16,500 square foot parcel. The proposed project is within the Residential Single Family land use category and is located at 1700 Orville Ave, between Kay Street and Orville Place,

approximately 600 feet north of Burton Drive, in the community of Cambria, in the North Coast planning area. This project is exempt under CEQA. **County File Number: DRC 2004-00140.** APN: 024-151-016. Date Accepted: March 15, 2005. Supervisorial District No. 2.

### **MINUTES**

Hearing Officer: Warren Hoag

Staff: Airlin M. Singewald

Thereafter, on motion of the hearing officer, the Minor Use Permit/Coastal Development Permit is granted, based on the Findings A through S in Exhibit A and subject to Conditions 1 through 18 in Exhibit B. (Document No. 2005-066).

6. This being the time set for hearing to consider a request by the **EARL T. MAY FAMILY TRUST** for a Minor Use Permit/Coastal Development Permit to allow a manufactured home of up to 1,400 square feet as farm support quarters for an existing wholesale nursery, a driveway, a water well, and an exception to Coastal Zone Land Use Ordinance Section 23.08.167c in order to allow farm support quarters on a parcel smaller than 20 acres. The project will result in the disturbance of approximately 8,500 square feet of an approximately 16.4-acre parcel. The proposed project is within the Agriculture land use category and is located at 2181 Blue Heron View Lane, on the west side of Clark Valley Road, approximately 1/3 mile south of Los Osos Valley Road, approximately one mile east of Los Osos, in the Estero Planning Area. This project is exempt under CEQA. **County File No: DRC2004-00138.** APN: 074,225,021. Date Accepted: February 1, 2005. Supervisorial District #2.

### **MINUTES**

Hearing Officer: Warren Hoag

Staff: Mike Wulkan

Others: Earl, Kyle, & Marsha May

Thereafter, on motion of the hearing officer, the Minor Use Permit/Coastal Development Permit is granted based on Findings A through H in Exhibit A and subject to Conditions 1 through 18 in Exhibit B. (Document No. 2005-067).

7. This being the time set for hearing to consider a request by **KATHLEEN DOUGLASS** for a Minor Use Permit to allow the replacement of a permitted pre 1976 mobile home with a different pre 1976 mobile home. The applicant is requesting a waiver of the exterior design standards required by section 22.30.450(E) of the county code for siding, roof material and roof overhangs. No site disturbance is proposed as part of the project. The project site is a 49.25 acre parcel, with split zoning consisting of Residential Rural on the western portion and Rural Lands on the eastern portion. The proposed project is within the Residential Rural land use category and is located at 5914 Parkhill Road, approximately six miles east from Santa Margarita, in the Las Pilitas planning area. This project is exempt under CEQA. **County File No: DRC2004-00106.** APN:070-156-006. Date Accepted: January 19, 2005. Supervisorial District: 5.

### **MINUTES**

Hearing Officer: Warren Hoag

Staff: Nick Forester

Thereafter, on motion of the hearing officer, the Minor Use Permit is granted based on Findings A through H in Exhibit A and subject to Conditions 1 through 12 in Exhibit B. (Document No. 2005-068)

8. This being the time set for hearing to consider a request by **JAMES J. PERRY** for a Minor Use Permit to allow a second residential dwelling. The project will result in the disturbance of approximately 4,500 square feet of a 10.54 acre parcel. The applicant is also requesting a waiver of the requirement that for sites less than 20 acres in the Residential Rural category, the secondary dwelling should be located within 250 feet of the primary dwelling and is proposing to place the second residential dwelling approximately 1,900 feet from the primary dwelling. The proposed project is within the Residential Rural land use category and is located at 2250 Four Paws Way approximately three miles southeast of the city of Paso Robles, in the El Pomar-Estrella planning area. This project is exempt under CEQA. **County File No: DRC2004-00144.** APN: 035-091-031. Date Accepted: March 3, 2005. Supervisorial District: No. 1.

#### **MINUTES**

Hearing Officer: Warren Hoag

Staff: Nick Forester

Thereafter, on motion of the hearing officer, this item is continued to May 20, 2005. No action taken.

9. This being the time set for hearing to consider a request by **JANKRIS VINEYARDS** for a Minor Use Permit to allow the conversion of an existing 2,600 square foot shop building into a winery facility. The project will not cause any new grading or site disturbance. The proposed project is within the Agriculture land use category and is located at 2310 Dry Creek Road (approximately one mile west of the Dry Creek Road/Airport Road intersection), west of the Paso Robles Municipal Airport, near the City of Paso Robles, in the Salinas River planning area. This project is exempt under CEQA. **County File No.: DRC2004-00036.** APN: 026-191035. Date Accepted: October 12, 2004. Supervisorial District No. 1. Ted Bench, Project Manager.

#### **MINUTES**

Hearing Officer: Warren Hoag

Thereafter, on motion of the hearing officer, the Minor Use Permit is granted, based on the Findings A through F in Exhibit A and subject to Conditions 1 through 19 in Exhibit B. (Document No. 2005-069).

10. This being the time set for hearing to consider a request by **ROBERT AND MARY JO POUDRETTE** for a Minor Use Permit to allow the construction of a 1,200 square foot secondary dwelling and driveway approximately 64 feet from the primary residence. The project will result in the disturbance of approximately 2,500 square feet of a 3 acre parcel. The proposed project is within the Residential Suburban land use category and is located at 485 Dorothy Lane, in the community of Callendar Garrett. The site is in the South County (Inland) planning area. This project is exempt under CEQA. **County File No: DRC2004-00053.** APN: 091-173-025. Date Accepted: March 30, 2005. Supervisorial District: 4.

#### **MINUTES**

Hearing Officer: Warren Hoag

Staff: Martha Neder

Thereafter, on motion of the hearing officer, the Minor Use Permit is granted based on Findings A through G in Exhibit A and subject to Conditions 1 through 11 in Exhibit B. (Document No. 2005-070).

11. This being the time set for hearing to consider a request by **ROB CRANDALL** for a Minor Use Permit to modify secondary dwelling standards to allow an existing 1,142 square foot dwelling as the secondary dwelling, add a new 2,650 square foot primary dwelling, and modify detached garage/workshop standards to allow a 2,400 square foot detached workshop. The proposed project is within the Residential Rural land use category and is located on the northwest corner of Halcyon Road and Pine Ridge Lane, approximately ½ mile east of El Campo Road, south of

the City of Arroyo Grande, in the South County planning area. This project is exempt under CEQA. **County File No: DRC2004-00200**. APN: 075-351-044. Date Accepted: March 29, 2005. Supervisorial District 4.

### **MINUTES**

Hearing Officer: Warren Hoag

Staff: Jay Johnson

Thereafter, on motion of the hearing officer, the Minor Use Permit is granted based on Findings A through G in Exhibit A and subject to Conditions 1 through 13 in Exhibit B. (Document No. 2005-071).

12. This being the time set for hearing to consider a request by **MATTHEW CARINIO** for a Minor Use Permit to allow construction of a 4,545 square foot single family residence with attached 970 square foot garage on Lot 16 of the Emerald Hills Subdivision (Tract 1875). The project will result in the disturbance of approximately 10,279 cubic yards of a 2.2 acre parcel. The proposed project is within the Residential Suburban land use category and is located at 1875 Diablo Drive, approximately 1,000 feet west of Los Osos Valley Road, northwest of the City of San Luis Obispo, in the San Luis Obispo Planning Area. This project was found to be consistent with the previously certified Environmental Impact Report prepared for Tract 1875 (Emerald Hills Subdivision.). **County File No: DRC2004-00068**. APN: 067-220-016. Date Accepted: February 4, 2005. Supervisorial District: 3.

### **MINUTES**

Hearing Officer: Warren Hoag

Staff: Stephanie Fuhs

Thereafter, on motion of the hearing officer, the Minor Use Permit is granted based on Findings A through J in Exhibit A and subject to Conditions 1 through 13 in Exhibit B. (Document No. 2005-072)

13. This being the time set for hearing to consider a request by **ALLEN SHERFIELD** for a Minor Use Permit to allow construction of a 1,190 square foot secondary dwelling with attached 935 square foot attached garage. The proposed project is within the Residential Rural land use category and is located at 695 Meadow Oak Lane, approximately 1,200 feet west of Halcyon Road, approximately four miles south of the City of Arroyo Grande, in the South County planning area. This project is exempt under CEQA. **County File No: DRC 2004-00151**. APN: 075-351-042. Date Accepted: February 28, 2005. Supervisorial District: 4.

### **MINUTES**

Hearing Officer: Warren Hoag

Staff: Josh LeBombard

Thereafter, on motion of the hearing officer, the Minor Use Permit is granted based on Findings A through G in Exhibit A and subject to Conditions 1 through 12 in Exhibit B. (Document No. 2005-073)

### **HEARING ITEMS:**

14. This being the time set for hearing to consider a request by **PAXTON AND PATRICIA PEMBROKE** for a Lot Line Adjustment to adjust the lot lines between 4 parcels of 165.35, 161.06, 83.08, and 81.94 acres each. The adjustment will result in 4 parcels of 159.35, 118.14, 111.85, and 103.06 acres each. The project will not result in the creation of any additional parcels. The proposed project is within the Agricultural land use category and is located at 3990 W. Pozo Road, approximately 10 miles west of the city of San Luis Obispo, in the Las Palitas and Los Padres planning areas. **County File No: SUB2004-00165 / COAL04-529**. APN's: 070-044-008 and -009. January 26, 2005. Supervisorial District: 5.

## **MINUTES**

Hearing Officer: Warren Hoag

Staff: Josh Lebombard

Other: None

Josh Lebombard, staff, presents the project. Discusses agricultural contract and minimum acreage of 320 acres for all parcels. States the proposed lot line adjustment will be kept within the minimum acreage. States submittals have been made to the Ag office and appropriate agencies with agreements by all.

Thereafter, on motion of the hearing officer, the Lot Line Adjustment is granted based on Findings A through D in Exhibit A and subject to Conditions 1 through 9 in Exhibit B. (Document No. 2005-074)

15. This being the time set for hearing to consider a request by **HAPPIE LEE/TARTAGLIA ENGINEERING** for a Lot Line Adjustment and Variance to adjust the lot lines between two parcels of 0.17 and 12.31 acres each and allow an existing non-conforming front setback for proposed Parcel 1. The adjustment will result in two parcels of 5.66 and 6.82 acres each. The project will not result in the creation of any additional parcels. The proposed project is within the Residential Rural land use category and is located at 6119 Lewis Lane, approximately 1 mile west of Highway 227, approximately 2 miles south of the City of San Luis Obispo, in the San Luis Obispo planning area. This project is exempt under CEQA. **County File No: SUB 2004-00153**. APN: 044,182,001 & -003. Date Accepted: December 7, 2004. Supervisorial District: 3.

## **MINUTES**

Hearing Officer: Warren Hoag

Staff: Stephanie Fuhs

Other: Greg Whittington (son-in-law of applicant)

Stephanie Fuhs, staff, presents project. Discusses conditions and setbacks. States no changes will occur with the current setback requirement. Discusses density concerns by neighbors and gives clarification of the specific plan that allows only one house per lot.

Greg Whittington states his concerns with additions or remodels regarding requirements to bring into compliance with easements. Discusses parcel #1 regarding conformance. Feels the ag buffer could decrease the value of the property. States he is in full agreement with compliance requirements.

Hearing Officer explains that the ag buffer could increase the value of the property by clarifying to the new owner exactly where they may build.

Thereafter, on motion of the hearing officer, the Lot Line Adjustment is granted based on Findings A through I in Exhibit A and subject to Conditions 1 through 10 in Exhibit B. (Document No. 2005-075)

16. This being the time set for hearing to consider a request by **JOHN CHRISTIE** for a Lot Line Adjustment to adjust the lot lines between two parcels of 3,500 square feet each. The adjustment will result in two parcels of 3,500 square feet each. The project will not result in the creation of any additional parcels. The proposed project is within the Residential Multi-Family land use category and is located at 2207 Beach Street, in the community of Oceano. The site is in the San Luis Bay (Inland) planning area. This project is exempt under CEQA. **County File No: SUB2004-00069/COAL04-0489**. APN: 062,096,002. Date Accepted: September 18, 2004. Supervisorial District 4.

## **MINUTES**

Hearing Officer: Warren Hoag

Staff: Stephanie Fuhs

Other: John Christie, applicant

Stephanie Fuhs, staff, presents project.

John Christie, applicant, states his unfamiliarity with the process and that he will comply with any requirements. He questions whether or not another preliminary title report is required.

Stephanie Fuhs, staff, replies that another title report will be required in six months.

Hearing Officer explains to John Christie the steps now necessary to continue his permit process.

Thereafter, on motion of the hearing officer, the Lot Line Adjustment is granted based on Findings A through D in Exhibit A and subject to Conditions 1 through 11 in Exhibit B. (Document No. 2005-076)

17. This being the time set for hearing to consider a request by **MID STATE PROPERTIES** for a Lot Line Adjustment to adjust the lot line between two existing parcels of 15,000 square feet and 22,292 square feet each. The adjustment will result in two parcels of 17,498 square feet and 19,794 square feet each. The project will not result in the creation of any additional parcels. The proposed project is within the Residential Suburban land use category and is located at 8701 and 8747 Oak Drive in the community of San Miguel, in the Salinas River planning area. This project is exempt under CEQA. **County File No.: SUB 2004-00107/COAL04-0462.** APN: 027-221-042, -026. Date Accepted: April 5, 2005. Supervisor District: 1.

## **MINUTES**

Hearing Officer: Warren Hoag

Staff: Elizabeth Kavenaugh

Other: Terry Orton, Agent

Elizabeth Kavenaugh, staff, presents project.

Terry Orton, agent, states the proposed lot line adjustment is to help recognize the easement. There is discussion. States he is in agreement with conditions of staff report.

Thereafter, on motion of the hearing officer, the Lot Line Adjustment is granted based on Findings A through D in Exhibit A and subject to Conditions 1 through 11 in Exhibit B. (Document No. 2005-077)

18. This being the time set for hearing to consider a request by **JPK INC.** for a Lot Line Adjustment to adjust the lot lines between two parcels of 3.14 and 1.94 acres each. The adjustment will result in two parcels of 2.57 and 2.51 acres each respectively. The project will not result in the creation of any additional parcels. The proposed project is within the Residential Suburban land use category and is located at 3710 Lorraine Way and 3725 Plymouth Hill approximately 1000 feet north of the City of Paso Robles on Vine Street on the west side of Highway 101, in the Salinas River planning area. This project is exempt under CEQA. **County File Number: SUB 2003-00193/COAL03-0322.** APN: 018-033-001 & 018-031-028. Date Accepted: March 2, 2005. Supervisorial District: 1.

## **MINUTES**

Hearing Officer: Warren Hoag

Staff: Ryan Hostetter

Ryan Hostetter, staff, presents project. Staff requests a continuance off calendar.

Thereafter, on motion of the hearing officer, the Lot Line Adjustment is continued off calendar. No action is taken.

19. This being the time set for hearing to consider a request by **ELENA REGALA** for a Minor Use Permit to allow the relocation of the building envelope to a point approximately 175 feet northeast of the designated building envelope. The project will not result in soil disturbance. The proposed project is within the Residential Rural land use category and is located at 1262 Whispering Meadows Lane, approximately 1,000 feet northeast of Dana Foothill Road, approximately 2.5 miles north of the community of Nipomo, in the South County (Inland) planning area. This project is exempt under CEQA. **County File No: DRC2004-00016**. APN: 090-012-012. Date Accepted: October 29, 2004. Supervisorial District: 4.

## **MINUTES**

Hearing Officer: Warren Hoag

Staff: Brian Pedrotti

Other: George Regala, Applicant

Brian Pedrotti, staff, presents project. Discusses staff's review of modification that was found consistent with county requirements. States a request for hearing from Ronald Lyons was received and that George Regala will be provided a copy. There is discussion of the location of the building envelope.

George Regala discusses his concerns with CC&R's and the processes by which he must proceed. States he is in agreement with the conditions.

Hearing Officer advises Mr. Regala the County does not have regulatory authority over CC&R matters, and advises applicant that CC&R's will still have to be complied with after county permit approval. Hearing Officer explains the building envelope can be relocated, describes the process regarding finalization of the building permit, and recommends approval.

Thereafter, on motion of the hearing officer, the Minor Use Permit is granted based on Findings A through F in Exhibit A and subject to Conditions 1 through 5 in Exhibit B. (Document No. 2005- 078)

There being no further business to discuss, the hearing is adjourned.

Respectfully submitted,  
Mary Velarde, Secretary  
Planning Department Hearings